



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3406 FAX (603) 271-7894



November 18, 2002

Mr. John Colony, Jr.
Harrisville, NH 03450

RE Nubanusit Lake Dam, #166.04 in Nelson

Dear Mr. Colony

This letter is in follow-up to our site meeting on Friday November 15, 2002 regarding the fill area above the discharge channel between the dam and town road. At the meeting, John Colony III indicated that the desired course of action at this time is to hire a structural engineer to measure the steel members to determine their integrity and safety. DES anticipates that you will identify an engineering consultant within 15 days from the receipt of this letter and the engineer will submit a tentative schedule to DES within 30 days for conducting the analysis. If you have decided to pursue a different course of action than indicated above, DES should be notified immediately. DES strongly suggests barricading off the area in question until the safety of the beams is determined.

In, addition, DES has attached copies of the outstanding Annual Dam Registration Fee's for Harrisville Pond Dam (#109.08), Spoonwood Pond Dam (#166.03), and Nubanusit Lake Dam (#166.04). As I explained on Friday to John Colony III, DES is anticipating that the outstanding Annual Dam Registration Fee of \$7,950 for the three dam's owned by John Colony Jr. will be paid. Please submit a check payable to TREASURER, STATE OF NEW HAMPSHIRE, in the amount of \$7,950. DES would also like to make you aware of Administrative Rule Env-C 613.02 (e), a copy of which I gave John Colony III on Friday, which states "For failing to submit annual registration fees required by RSA 482:8-a following a second notice pursuant to Env-Wr 301.04, the fine shall be \$100 per calendar month or portion thereof that the registration fee is late." If DES decides to pursue enforcement action, assessment of this fine would add an additional \$33,000 to the current unpaid balance.

If you have any questions please, do not hesitate to call me at 271-3406. Our normal business hours are from 8:00 a.m. through 4:00 p.m., Monday through Friday. Please forward all correspondence to me at the Water Division.

Sincerely,

COPY

Jeffrey Blaney
Dam Safety Engineer
Water Division

Attachments

cc: DES Legal Unit, Gretchen Rule✓

Town of Nelson

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